

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	
<i>et al.</i> ,	:	
	:	Consolidated Case No. 1:02cv00107
<i>Plaintiffs</i> ,	:	
	:	Judge Spiegel
THE SIERRA CLUB; MARILYN	:	
WALL,	:	
	:	
<i>Plaintiffs</i> ,	:	
	:	
v.	:	
	:	
HAMILTON COUNTY BOARD OF	:	
COUNTY COMMISSIONERS;	:	
CITY OF CINCINNATI,	:	
	:	
<i>Defendants</i> .	:	

**NOTICE OF SETTLEMENT OF ALL ISSUES PERTAINING TO  
APPEAL OF ORDER GRANTING MOTION FOR ATTORNEYS' FEES**

Plaintiffs, Sierra Club and Marilyn Wall, and defendants, the Hamilton County Board of County Commissioners and the City of Cincinnati, hereby give notice that they have settled all issues pertaining to the Motion For Attorney Fees And Costs By Plaintiffs The Sierra Club And Marilyn Wall (Doc. 136), the Opinion And Order Granting Motion For Attorney Fees And Costs (Doc. 144), and raised in the Notice of Appeal (Doc. 146). The claims of the plaintiffs having been compromised and satisfied, the parties stipulate and agree that the Court need not take any further action pursuant to the remand from the United States Court of Appeals for the Sixth Circuit.

Respectfully submitted,

s/D. David Altman by Phillip J. Smith per  
authorization

D. David Altman (0021457)  
Amy J. Leonard (0040611)  
Amy M. Hartford (0074836)  
D. DAVID ALTMAN CO., LPA  
15 E. Eighth Street  
Suite 200W  
Cincinnati, OH 45202  
Telephone: 513-721-2180  
Facsimile: 513-721-2299

Albert J. Slap, Esq.  
LAW OFFICE OF ALBERT J. SLAP  
36 Glengarry Drive  
Aspen, CO 81611

Attorneys for Plaintiffs,  
Sierra Club and Marilyn Wall

s/Phillip J. Smith

Mark A. Norman (0012033)  
Phillip J. Smith (0062942)  
Theodore A. Boggs (0032905)  
VORYS, SATER, SEYMOUR AND  
PEASE LLP  
Suite 2000, Atrium Two  
221 East Fourth Street  
Cincinnati, Ohio 45202  
Telephone: 513-723-4000  
Facsimile: 513-723-4056  
manorman@vorys.com  
pjsmith@vorys.com  
taboggs@vorys.com

Nee Fong Chin (0038095)  
William P. Heile (0024210)  
HAMILTON COUNTY PROSECUTOR'S  
OFFICE  
230 E Ninth Street  
Suite 4000  
Cincinnati, OH 45202-2151  
Telephone: 513-946-3042  
Facsimile: 513-946-3018  
E-mail: neefong.chin@hcpros.org

Attorneys for Defendant,  
The Board of County Commissioners of  
Hamilton County, Ohio

s/Julia L. McNeil by Phillip J. Smith per  
authorization

Julia L. McNeil (0043535)  
Terrance A. Nestor (0065840)  
CITY OF CINCINNATI  
801 Plum Street  
Room 214 City Hall  
Cincinnati, OH 45202  
Telephone: 513-352-3334  
E-mail: terry.nestor@cincinnati-oh.gov

Attorneys for Defendant,  
The City of Cincinnati

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following counsel, this 11th day of December 2007:

Gregory Lockhart  
UNITED STATES ATTORNEY'S OFFICE  
PO Box 280  
200 W Second Street  
Room 602  
Dayton, OH 45402

Leslie Allen  
Environmental Enforcement Section  
Environment and Natural Resources Div  
UNITED STATES DEPARTMENT OF  
JUSTICE  
P.O. Box 7611  
Washington, DC 20044-7611

Gary Prichard  
Associate Regional Counsel  
US EPA  
Region 5 (C-14J)  
77 West Jackson Blvd  
Chicago, IL 60604-3590

Thomas L Sansonetti  
Assistant Attorney General  
Environment and Natural Resources Div  
UNITED STATES DEPARTMENT OF  
JUSTICE  
10th & Pennsylvania Avenue N.W.  
Washington, DC 20530

Caleb Brown, Jr.  
527 Linton Street  
Cincinnati, OH 45219

Donetta D. Wiethe  
U.S. DEPARTMENT OF JUSTICE  
Suite 400, Atrium Two  
221 East Fourth Street  
Cincinnati, OH 45202

Arthur W. Harmon, Jr.  
HARMON, DAVIS & ASSOCIATES  
1200 Cypress Street  
Cincinnati, OH 45206

J. Steven Justice  
TAFT, STETTINIUS & HOLLISTER  
110 North Main St., Suite 900  
Dayton, OH 45402

Margaret A. Malone  
OHIO ATTORNEY GENERAL  
Environmental Enforcement Section  
30 East Broad Street  
25th Floor  
Columbus, OH 43215-3428

Jessica L. Powell  
LEGAL AID SOCIETY OF CINCINNATI  
215 East Ninth Street  
Suite 200  
Cincinnati, OH 45202-2122

s/Phillip J. Smith  
Phillip J. Smith